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*Admitted only in Maryland
*Admitted only in Virginia
*Practice Limited to
Federal Agencies

November 17, 2003

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Art Unit 1647

Re: U.S. Utility Patent Application
Appl. No. 09/830,967; § 371 Date: November 6, 2001
For: **Host Cells Expressing Recombinant Human
Erythropoietin**
Inventors: Carcagno *et al.*
Our Ref: 1909.0020002/JAG/PAJ

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fee Transmittal Form (PTO/SB/17);
2. Petition for Extension of Time Under 37 C.F.R. § 1.136(a)(1);
3. Amendment and Reply Under 37 C.F.R. § 1.111;
4. English Translation of Argentine priority Application No. P98 01 05609, filed November 6, 1998 with statement indicating that the translation is accurate;
5. English Translation of Argentine priority Application No. P99 01 00679, filed February 23, 1999 with statement indicating that the translation is accurate;
6. Statement Concerning the Deposited Host Cell;
7. Statement Concerning the Deposited Vector;

Commissioner for Patents
November 17, 2003
Page 2

8. Credit Card Payment Form in the amount of \$950.00 to cover the three month extension of time; and
9. One return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

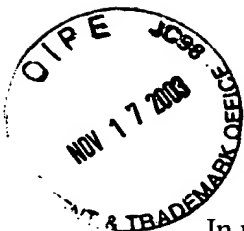
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Peter A. Jackman
Attorney for Applicants
Registration No. 45,986

PAJ:aye
Enclosures

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SKGF Rev. 2/15/02 dcw; 4/18/03 svb



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CARCAGNO *et al.*

Appl. No. 09/830,967

§ 371 Date: November 6, 2001

For: **Host Cells Expressing Recombinant
Human Erythropoietin**

Confirmation No. 7298

Art Unit: 1647

Examiner: Hamud, Fozia M.

Atty. Docket: 1909.0020002/JAG/PAJ

Statement Concerning the Deposited Host Cell

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Recombinant host cell MC2 20 22/12/98 was deposited under the terms of the Budapest Treaty on April 16, 1999. The deposit was made at DSMZ-Deutsche Sammlung von Mikroorganismen und Zellkulturen GmbH, located at Mascheroder Weg 1b, D-38124 Braunschweig, Germany, and was given accession number DSM ACC2397. Assurance is hereby given that all restrictions on the availability to the public of the deposited host cell will be irrevocably removed upon the granting of a patent, subject to 37 C.F.R. § 1.808(b).

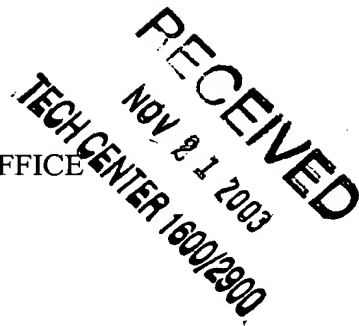
Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Peter A. Jackman
Attorney for Applicants
Registration No. 45,986

Date: Nov. 17, 2003

1100 New York Avenue, N.W.
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CARCAGNO *et al.*

Appl. No. 09/830,967

§ 371 Date: November 6, 2001

For: **Host Cells Expressing Recombinant
Human Erythropoietin**

Confirmation No. 7298

Art Unit: 1647

Examiner: Hamud, Fozia M.

Atty. Docket: 1909.0020002/JAG/PAJ

Statement Concerning the Deposited Vector

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The pVex1 vector was deposited under the terms of the Budapest Treaty on April 16, 1999. The deposit was made at DSMZ-Deutsche Sammlung von Mikroorganismen und Zellkulturen GmbH, located at Mascheroder Weg 1b, D-38124 Braunschweig, Germany, and was given accession number DSM 12776. Assurance is hereby given that all restrictions on the availability to the public of the deposited vector will be irrevocably removed upon the granting of a patent, subject to 37 C.F.R. § 1.808(b).

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Peter A. Jackman
Attorney for Applicants
Registration No. 45,986

Date: Nov. 17, 2003

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